

Council Variance Application

111 North Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • www.columbus.gov/bzs • zoninginfo@columbus.gov

STATEMENT OF HARDSHIP

CV19-099

Chapter 3307 of the Columbus Zoning Code

Section 3307.10 Variances by City Council

A. Permit a variance in the yard, height, or parking requirements of any district only in conjunction with a change in zoning or a use variance and only where there are unusual and practical difficulties or unusual hardships in the carrying out of the zoning district provisions due to an irregular shape of lot, topography, or other conditions, providing such variance will not seriously affect any adjoining property or the general welfare.

B. Permit a use of the property not permitted by the Zoning District established on the property if such use will not adversely affect the surrounding property or surrounding neighborhood and if Council is satisfied that the granting of such variance will alleviate some hardship or difficulty which warrants a variance from the Comprehensive Plan.

Before authorizing any variance from the Zoning Code in a specific case, City Council shall first determine that such variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus.

In granting a variance pursuant to this section, Council may impose such requirements and conditions regarding the location, character, duration, and other features of the variance proposal as Council deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare

List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

PLEASE NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are discovered after your application is approved, a new application will be required.

I have read the foregoing and believe my application for relief from the requirements of the Zoning Code contains the necessary hardship, will not adversely affect surrounding property owners and will comply with the variance(s) requested as detailed below (use separate page if needed or desired):

The property owner originally constructed the garage with unfinished space on the second floor. After starting construction earlier this year to finish the second floor, the property owner concluded that designating the structure as a carriage house would better describe its use. The property owner plans to use the space as either office space for a home-based business or as overnight accommodation space for family members/guests. This construction and use will make no negative impact to the neighboring buildings natural light, parking or air quality. Variances asked: 3332.035-R3, Residential district; 3372.13 R3 Area district; 3332.19 Fronting; 3332.05 Area district lot width requirement; 33321.49c Minimum number of parking spaces required; 3332.25 & 3332.26 Side yards; 3332.27 Rear yard; 3332.37 Home Occupation.

See attached Statement of Hardship and variance requests.

Signature of Applicant



Date

29.09.2019

Council Variance Application CV19-099
Proposed Carriage House at 880 Franklin Avenue, Columbus, Ohio 43205

Statement of Hardship

The subject property is located in the Olde Towne East neighborhood and is currently a developed lot 40.81 feet wide and 135 feet in depth (.124 acre) with an existing brick two-story single family home built approximately 1895 and an existing detached three-vehicle garage constructed in 2016

The 2016 garage was constructed to replace a former existing two-vehicle garage which was damaged by a falling tree. The property owner secured the approval of BZA16-009 in order to increase the allowable height of the garage from 15' to 20' in order to provide a second floor habitable space, with the provision that the space not contain cooking facilities. The garage was constructed and the second floor left unfinished.

The property owner secured a building permit this year in order to finish the garage second floor as a study. After starting construction, the property owner concluded that designating the structure as a carriage house would better describe its use. The property owner intends to use the second floor space as either office space for a home-based business or as overnight accommodation space for family members/guests.

Current zoning of R3 allows for either one single family dwelling but does not allow for two separate dwellings on a single lot. The existing garage with habitable space which includes cooking facilities would be considered a separate dwelling, and there for the requested variances are required.

The requested variances as detailed on the next page will not interfere with any neighboring owner's use of their property or otherwise prevent further development of any neighboring property. Additionally, granting the applicant's request will increase the value of the applicant's property and the value of neighboring properties, and will still provide for adequate light, air, and open space.

The proposed use remains compatible with surrounding properties and the historic uses of the neighborhood, and the structure remains compatible with nearby buildings in terms of height and design style.

Respectfully Submitted,
Kathy A. Consoliver, Owner/Applicant

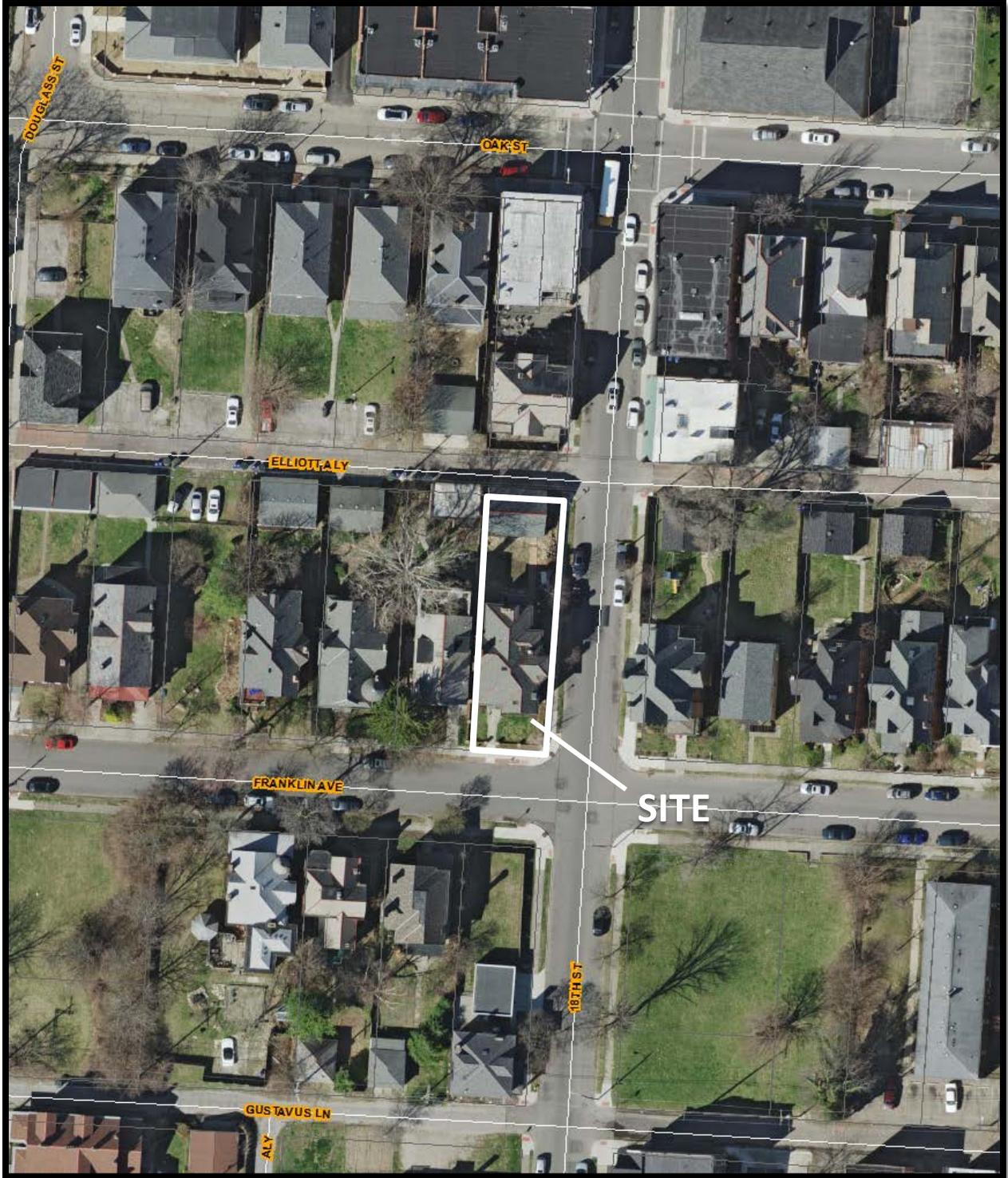
Council Variance Application CV19-099
Proposed Carriage House at 880 Franklin Avenue, Columbus, Ohio 43205

Variance Requests
revised 29.Oct.2019

1. Section 3332.035 R3 Residential District: this district permits one single family dwelling on one lot. The owner requests that the carriage house, while considered to also be a dwelling, be allowed to be located on the property.
2. Section 3332.05 Area district lot width requirements: this section requires that the minimum lot width for R3 districts is 50'. The Owner requests recognition of the fact that the existing lot width is 40.81'.
3. Section 3332.13 R3 Area district: this district permits one single family house on a lot of no less than 5,000 square feet in area. The Owner's lot is 5,569.35 square feet in area. In accord with Section 3332.18(C) Basis for computing area, the calculated area of the site is 4,996 square feet. The Owner requests that the carriage house be allowed on this property of this size. .
4. Section 3332.19 Fronting on a public street: this section requires a dwelling to have frontage on a public street. The existing garage was constructed in conformance with Zoning Code requirements for a vehicular garage, and the owner proposes that no public street frontage be required for the carriage house.
5. Section 3332.26B Minimum side yards provided: this section requires that a minimum 5' sideyard be provided for dwelling units. The existing garage was constructed in conformance to Zoning Code requirements for a vehicular garage, which allows a side yard of 3'. The actual existing side yards are 3'-9" to the west and 7'-0 3/4" to the east. The owner requests that the existing side yards be accepted as satisfactory for this section.
6. Section 3332.27 Rear yard: the existing garage was constructed in conformance to Zoning Code requirements for a vehicular garage in the rear yard on a lot with a principal residence. The carriage house will maintain the same percentage of rear yard occupancy, but the owner requests that the carriage house, as a residence, will not have a separate rear yard of its own
7. Section 3332.37A Home Occupation: this section requires that a home-based occupation be restricted to the principal residence on the site and not be located in an accessory building. The owner requests that the carriage house, while not a part of the principal dwelling, is to be used by the owner in conjunction to the use of the principal dwelling, and that the home based occupation be allowed to be located in the carriage house.
8. Section 3332.37D Home occupation allowable area: this section requires that a home-based occupation be limited to not more than 20% of the dwelling area. The Owner proposes to use the second floor of the carriage house primarily for a home-based occupation, with occasional use for overnight habitation for family members and guests. The second floor of the existing garage is 712.5 square feet, and twenty percent of that amount is 142.5 square feet. The Owner requests recognition of the fact that the use of the second floor space for a home occupation is open to interpretation, and that the Owner will generally attempt to conform to the space limits used for the occupation.
9. Section 3312.49C Minimum number of parking spaces required: this section requires that two off-street parking spaces per dwelling unit be provided, meaning that with the addition of the carriage house, the site requirement for off-street parking is four spaces. The Owner currently has available three off street parking spaces, all provided in the existing garage. The owner requests that the three off street parking spaces as currently provided be accepted as providing satisfactory off-street parking for both the principal residence and the carriage house combined.



CV19-099
880 Franklin Ave.
Approximately 0.12 acres



CV19-099
880 Franklin Ave.
Approximately 0.12 acres



DEPARTMENT OF BUILDING AND ZONING SERVICES

Standardized Recommendation Form

111 North Front Street, Columbus, Ohio 43215
Phone: 614-645-4522 • www.columbus.gov/bzs • zoninginfo@columbus.gov

FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW
(PLEASE PRINT)

Case Number: C19-099

Address: 830 FRANKLIN AVENUE

Group Name: NEAR EAST AREA COMMISSION

Meeting Date: THURSDAY, DECEMBER 12, 2019

- Specify Case Type:
[] BZA Variance / Special Permit
[X] Council Variance
[] Rezoning
[] Graphics Variance / Plan / Special Permit

- Recommendation:
(Check only one and list basis for recommendation below)
[X] Approval
[] Disapproval

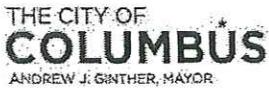
NOTES:

Multiple horizontal lines for handwritten notes.

Vote: 9-0-0

Signature of Authorized Representative: [Handwritten Signature]
SIGNATURE
CHAIR NEAR EAST AREA COMM.
RECOMMENDING GROUP TITLE
614-582-3053
DAYTIME PHONE NUMBER

Please e-mail this form to the assigned planner within 48 hours of your meeting day; or FAX to Zoning at 614-645-2463; or MAIL to: Assigned Planner, City of Columbus, Department of Building & Zoning Services, 111 N. Front St., Columbus, OH 43215.



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DEPARTMENT OF BUILDING AND ZONING SERVICES

PROJECT DISCLOSURE STATEMENT

All parties having a 5% or more interest in the project that is the subject of this application should be listed. THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION #: CV19-099

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) KATHY A CONSELNER
of (COMPLETE ADDRESS) 880 FRANKLIN AVENUE, COLUMBUS, OHIO 43205
deposes and states that (he/she) is the APPLICANT, AGENT or DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application in the following format:

Name of business or individual (include contact name and number)
Business or individual's address
City, State, Zip Code
Number of Columbus based employees
(Limited to 4 lines per box)

Table with 4 numbered boxes for listing parties with interest in the project.

Check here if listing additional parties on a separate page

SIGNATURE OF AFFIANT

[Handwritten signature]

Subscribed to me in my presence and before me this 20 day of September, in the year 2019

SIGNATURE OF NOTARY PUBLIC

[Handwritten signature and notary number #18026113955]

My Commission Expires:

03-28-2023



This Project Disclosure Statement expires six months after date of notarization.
DERRON A. TURNER
NOTARY PUBLIC, STATE OF OHIO
FRANKLIN COUNTY
My Commission Expires 03/28/2023

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.
Applications must be submitted by appointment. Call 614-645-4522 to schedule.
Please make all checks payable to the Columbus City Treasurer